

Senate Study Bill 3127

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CO=CHAIRPERSON SHULL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act allowing a vote of the people on dissolution of township
2 governments in certain counties and providing an effective
3 date.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6418SK 81
6 sc/gg/14

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1 1 Section 1. NEW SECTION. 331.386 DISSOLUTION OF TOWNSHIP
1 2 GOVERNMENT IN CERTAIN COUNTIES == ELECTION.
1 3 1. Notwithstanding section 331.385, the county board of
1 4 supervisors of a county with a population of less than five
1 5 thousand, according to the most recent federal decennial
1 6 census, may by resolution, or shall if petitioned for, direct
1 7 the county commissioner of elections to place on the ballot
1 8 for the next general election the question of whether the
1 9 township governments in the county shall be dissolved. If the
1 10 proposition is approved by a majority of the votes cast on the
1 11 proposition at the election, the county shall assume the
1 12 exercise of the powers and duties of township trustees,
1 13 subject to the provisions of this section, and the county
1 14 auditor shall assume the powers and duties of township clerk.
1 15 Dissolution of the township governments takes effect for the
1 16 fiscal year beginning July 1 following the general election at
1 17 which the proposition was approved.
1 18 2. In assuming the exercise of the powers and duties of
1 19 township trustees, the board of supervisors shall continue
1 20 provision of emergency services in the manner these services
1 21 were being provided by the township trustees immediately prior
1 22 to the general election at which the proposition to dissolve
1 23 the township governments was approved. However, if at any
1 24 time a volunteer fire department in a township in a county
1 25 that has approved dissolution of township governments ceases
1 26 operations, the board of supervisors may negotiate an
1 27 agreement with a city or another township for emergency
1 28 services to continue to be provided to that area. If as of
1 29 December 1 following approval of the proposition to dissolve
1 30 township governments a township in the county has in force an
1 31 agreement pursuant to chapter 28E for a city or another
1 32 township to provide fire protection service or fire protection
1 33 service and emergency medical services, or if a township is
1 34 otherwise contracting with a city or another township for fire
1 35 protection service or fire protection service and emergency
2 1 medical services, the board of supervisors shall negotiate
2 2 agreements for continued fire protection service, or fire
2 3 protection service and emergency medical services.
2 4 3. The board of supervisors in a county which has approved
2 5 at election the proposition of dissolving the township
2 6 governments in the county shall establish a separate township
2 7 fund for each township and levy property taxes in the same
2 8 manner and same amounts as township trustees pursuant to
2 9 chapters 37, 359, 359A, and 360. The budget for each township
2 10 shall be prepared as provided for in section 359.49, except
2 11 that a public hearing on the proposed township budgets shall
2 12 be at the same time as the public hearing on the proposed
2 13 county budget in lieu of the meeting required in section
2 14 359.49. In addition to the posting requirement in section
2 15 359.49, a summary of the budget for each township shall be

2 16 published with the summary of the proposed county budget.
2 17 4. This section does not prohibit a county described in
2 18 subsection 1 from assuming the powers and duties of township
2 19 trustees in accordance with the provisions of section 331.385,
2 20 subsections 1 through 4, if the proposition to dissolve
2 21 township governments pursuant to this section is not approved
2 22 at election.

2 23 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
2 24 immediate importance, takes effect upon enactment.

2 25 EXPLANATION

2 26 This bill provides that a county with a population of less
2 27 than 5,000 may vote on the question of whether the township
2 28 governments in the county should be dissolved. The question
2 29 shall be placed on the general election ballot by resolution
2 30 of the board of supervisors or by petition. If the
2 31 proposition receives a favorable majority, the county board of
2 32 supervisors is to assume the powers and duties of township
2 33 trustees and the county auditor is to assume the powers and
2 34 duties of township clerk.

2 35 The bill provides that the board of supervisors of a county
3 1 that has voted to dissolve township governments shall provide
3 2 emergency services to the townships in the same manner as such
3 3 services were provided prior to the election at which
3 4 dissolution was approved.

3 5 The bill provides that the county shall establish a
3 6 separate township fund for each township. The budgets of the
3 7 townships shall be prepared as provided by current law for
3 8 townships except that the bill requires that a public hearing
3 9 on the proposed township budgets be held at the same time as
3 10 the public hearing on the proposed county budget. The bill
3 11 also requires that a summary of each proposed township budget
3 12 be published with the proposed county budget in addition to
3 13 the posting requirement in current law for proposed township
3 14 budgets.

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